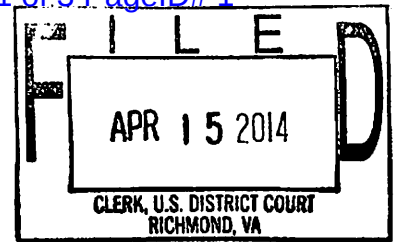


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



UNITED STATES OF AMERICA,	)	Criminal No. 3:14CR <u>053</u>
)	
	)	18 U.S.C. § 2251(a)
	)	Production of Child Pornography
	)	(Count 1)
)	
v.	)	18 U.S.C. § 2422(b)
	)	Enticement of a Minor
	)	(Count 2)
)	
	)	18 U.S.C. § 2422(b)
	)	Attempted Enticement of a Minor
ROBERT TYNDALL,	)	(Count 3)
)	
<i>Defendant.</i>	)	18 U.S.C. § 2253
	)	Forfeiture Notice

INDICTMENT

April 2014 Term — At Richmond, Virginia.

THE GRAND JURY CHARGES THAT:

COUNT ONE

(Production of Child Pornography)

From on or about March 6, 2013, through on or about May 18, 2013, in the Eastern District of Virginia and within the jurisdiction of this Court, the defendant, ROBERT TYNDALL, employed, used, persuaded, induced, enticed, and coerced a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct knowing and having reason to know that such visual depiction would be transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, and such visual depiction having actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting

interstate or foreign commerce, to wit: one (1) video entitled “sexey vid for rob.wmv” depicting a minor female engaged in the lascivious exhibition of the genitals.

(In violation of Title 18, United States Code, Section 2251(a).)

COUNT TWO
(Enticement of a Minor)

On or about March 17, 2013, the defendant, ROBERT TYNDALL, did use means and facilities of interstate and foreign commerce, *i.e.*, the Internet, to knowingly persuade, induce, and entice an individual who he believed to be less than 15 years old, to engage in any sexual activity for which any person can be charged with a criminal offense, *i.e.*, “proposing that any such child expose his or her sexual or genital parts to such person,” which is a criminal offense under Virginia Code § 18.2-370.

(In violation of Title 18, United States Code, Section 2422(b).)

COUNT THREE
(Attempted Enticement of a Minor)

On or about June 30, 2013, in the Eastern District of Virginia and within the jurisdiction of this Court, the defendant, ROBERT TYNDALL, did use means and facilities of interstate and foreign commerce, *i.e.*, the Internet, to attempt to knowingly persuade, induce, and entice an individual who he believed to be less than 15 years old, to engage in any sexual activity for which any person can be charged with a criminal offense, *i.e.*, “proposing that any such child expose his or her sexual or genital parts to such person” and “proposing that such person feel or fondle the sexual or genital parts of any such child,” which are criminal offenses under Virginia Code § 18.2-370.

(In violation of Title 18, United States Code, Section 2422(b).)

FORFEITURE NOTICE

Pursuant to Rule 32.2(a) of the Federal Rules of Criminal Procedure, the defendant is hereby notified that, if convicted of any of the above Counts One through Three, the United States will seek forfeiture of the defendant's interest in any visual depiction produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Sections 2251 *et seq.*, and any property, real or personal, constituting or traceable to gross profits or other proceeds or used or intended to be used to commit or promote the commission of such offense(s).

(In accordance with Title 18, United States Code, Section 2253).

Pursuant to the E-Government Act,
the original of this page has been filed
under seal in the Clerk's Office

FOREPERSON

DANA J. BOENTE
ACTING UNITED STATES ATTORNEY



Thomas K. Johnstone IV
Special Assistant United States Attorney